

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NORTH DAKOTA

In re *Joshua Paul York*
and
Jamie Lynn York

Case No.
Chapter 13

/ Debtors

Attorney for Debtor: *Keith J. Trader*

CHAPTER 13 PLAN

1. FUNDING OF PLAN

The debtor shall commit the following future earnings, property, or other income to the custody and control of the standing trustee to fund the chapter 13 plan:

Debtor's Net Monthly Income:

| | |
|-------------------------------------|-------------|
| Husband & Wife's Monthly Take Home: | \$ 7,415.87 |
| Less Expenses: | \$ 5,241.45 |
| SURPLUS: | \$ 2,174.42 |

Plan Payment:

The debtor(s) to pay: \$ 1,820.00 monthly for 60 Months
Total Payments: \$ 109,200.00

2. DURATION

It is proposed that payments shall be made over a period of 60 months.

3. PAYMENTS TO THE TRUSTEE SHALL BE MADE FROM

- [X] Direct Payments from Debtor(s)
[] Debtor's Employer

From the payments so received, the trustee shall make disbursements as follows:

4. ADMINISTRATIVE COSTS

Trustee's Compensation: 9.00 %

Attorney's Fee

| | |
|--------------------|-------------|
| Prepaid Portion | \$ 500.00 |
| Pay Through Plan | \$ 2,000.00 |
| Total Attorney Fee | \$ 2,500.00 |

| | TOTAL | MONTHS | MONTHLY PAYMENT |
|----------------------|-------------|------------|-----------------|
| Paid Through Plan | | | |
| Monthly Installments | \$ 2,000.00 | Month 1-10 | \$ 200.00 |

5. PAYMENTS TO PRIORITY CLAIMS

The debtor shall make full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. 507, as follows:

None

6. PAYMENTS TO SECURED CLAIMS

Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as shown. Payments towards deficiencies on undersecured claims are listed with the Unsecured Claims. Payments towards arrearages on fully secured claims are listed under Arrearages.

None

7. ARREARAGES ON SECURED CLAIMS

None

8. PROPERTIES TO BE SURRENDERED

The debtor shall surrender the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy such a creditor's claim, the creditor shall hold a nonpriority, unsecured claim.

| CREDITOR | AMOUNT CLAIMED | VALUE OF COLLATERAL |
|---------------------|-------------------|------------------------|
| American Honda GEMB | \$ 4,797.80 | \$ 3,000.00 |

9. LIEN AVOIDANCE

The following liens shall be avoided pursuant to 11 U.S.C. 522(f), or other applicable sections of the Bankruptcy Code:

None

10. PAYMENTS TO GENERAL UNSECURED CLAIMS

General unsecured claims shall be paid pro rata at 100.00 % of their claims, after all other claims are paid. Unsecured claims shall receive not less than the amount that would be paid on each claim if the estate were liquidated under Chapter 7.

11. EXECUTORY CONTRACTS

The following executory contracts of the debtor are accepted:

None

The following executory contracts of the debtor are rejected:

None

12. DIRECT PAYMENTS

The debtor shall make regular payments directly to the following creditors:

CREDITOR

Citizens Automobile Finance

Wells Fargo Financial

13. OTHER PROVISIONS

Debtors shall make payments directly to Mr. Wayne Drewes, Trustee, PO Box 2783, Fargo, ND 58108-2783. Debtors reserve the right to cure any default within 30 days. Debtors will turn over future tax refunds and disposable income during the plan.

14. REVESTMENT

Upon confirmation of the Plan, all property of the estate shall vest in the debtor pursuant to 11 U.S.C. 350 (or possibly 11 U.S.C. 1327(b)). The debtor shall remain in possession of all property of the estate during the pendency of this case unless specifically provided herein (11 U.S.C. 1306(b)). All secured creditors shall retain the liens securing their claims unless otherwise stated.

DATED: 10-21-2010

Joshua Paul York
DEBTOR: Joshua Paul York
4102 Woodhaven St. S.
Fargo ND 58104

Jamie Lynn York
DEBTOR: Jamie Lynn York

NAME OF LAW FIRM: Keith J. Trader - Attorney at Law

ATTORNEY: Keith J. Trader
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LIQUIDATION ANALYSIS

| PROPERTY | MARKET VALUE | LIENS | DEBTOR'S EQUITY | EXEMPT AMOUNT | BALANCE |
|---|-------------------------|----------------------|----------------------------|--------------------------|----------------|
| <i>Real Property</i> | \$225,000.00 | \$225,000.00 | \$ 0.00 | \$ 1.00 | \$ 0.00 |
| <i>Deposits of money with banks, etc</i> | \$ 950.00 | \$ 0.00 | \$ 950.00 | \$ 950.00 | \$ 0.00 |
| <i>Household goods and furnishings</i> | \$ 1,200.00 | \$ 0.00 | \$ 1,200.00 | \$ 1,200.00 | \$ 0.00 |
| <i>Wearing apparel</i> | \$ 500.00 | \$ 0.00 | \$ 500.00 | \$ 500.00 | \$ 0.00 |
| <i>Firearms and other hobby equipment</i> | \$ 425.00 | \$ 0.00 | \$ 425.00 | \$ 425.00 | \$ 0.00 |
| <i>Interests in insurance policies</i> | \$ 3,399.36 | \$ 0.00 | \$ 3,399.36 | \$ 3,399.36 | \$ 0.00 |
| <i>Interests in pension plans, etc..</i> | \$ 69,705.93 | \$ 0.00 | \$ 69,705.93 | \$ 69,705.93 | \$ 0.00 |
| <i>Automobiles, trucks, trailers, etc..</i> | \$ 17,000.00 | \$ 11,000.00 | \$ 6,000.00 | \$ 6,001.00 | \$ 0.00 |
| <i>Office equipment, furnishings, etc..</i> | \$ 25.00 | \$ 0.00 | \$ 25.00 | \$ 25.00 | \$ 0.00 |
| <i>Animals</i> | \$ 250.00 | \$ 0.00 | \$ 250.00 | \$ 250.00 | \$ 0.00 |
| <i>Any other personal property</i> | \$ 700.00 | \$ 0.00 | \$ 700.00 | \$ 700.00 | \$ 0.00 |
| TOTAL: | \$ 319,155.29 | \$ 236,000.00 | \$ 83,155.29 | \$ 83,157.29 | \$ 0.00 |

Summary of Liquidation Results

| | |
|---|-----------------|
| Amount Available on Liquidation: | \$ 83,155.29 |
| Less Exempted Amounts: | \$ 83,157.29 |
| Less Liquidation Expenses: | \$ 0.00 |
| Less Administrative Fees: | \$ 0.00 |
| Remaining Balance: | <u>\$ -2.00</u> |
| | |
| Payments to Priority Claims: | \$ 0.00 |
| Available to General Unsecured: | <u>\$ -2.00</u> |
| | |
| Total of General Unsecured under Chapter 7: | \$ 97,538.95 |
| Percent Distribution under Chapter 7: | 0.00 % |